

AMENDED

Serial No. 52306

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

JUL 07 1988

Date of filing in State Engineer's Office.....

AUG 15 1988

Returned to applicant for correction.....

AUG 22 1988

Corrected application filed..... Map filed March 29, 1918 (Proposed POD & Existing POU); Proposed POU under 52302

The applicant Bert T. Swanston, an undivided 1/3 interest; Robert Swanston, an undivided 1/3 interest; Robert Leal & Elysian Farms, Inc., an undivided 1/3 interest

500 "N" Street, Suite 23 of Scaramento
Street and No. or P.O. Box No. City or Town

California 95814 hereby make...Application for permission to change the
State and Zip Code No.

Place of Use and Manner of Use of a Portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit #2210, Certificate 440
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Johnson Creek
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.549 c.f.s.
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for Irrigation & Stock
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation & Stock
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SE 1/4 NE 1/4 Section 34 and SW 1/4 NW 1/4 of Section 35, T. 36 N., R. 66 E., M.D.B. & M.
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within No Change.
If point of diversion is not changed, do not answer

7. Proposed place of use 154.9 acres within Section 23, T. 36 N., R. 66 E., M.D.B. & M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use See Exhibit "A"
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day

10. Use was permitted from April 1st to October 1st of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) collection system to reservoir.
State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$25,000.00

13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please use proof of Beneficial use map filed in support of permit 2210 for
the proposed Point of Diversion and existing Place of Use.

Compared..... kh/jm

Protested.....

/s/ Jack D. Ferris
By..... Thiel, Winchell & Associates
5151 So. Carson St., Suite 301
Carson City, Nevada 89701

OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed..... IN TESTIMONY WHEREOF, I.....

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed..... office, this..... day of.....

Certificate No..... Issued..... A.D. 19.....

State Engineer

SEP 28 1992
Richard Thompson P.E. STATE ENGINEER

EXHIBIT "A"

Description of irrigated land to which water is appurtenant is as follows:

36.7	acres	SE 1/4	Section 22,	T. 36	N., R. 66 E.,	M.D.B. & M.
4.3	acres	SW 1/4	Section 22,	T. 36	N., R. 66 E.,	M.D.B. & M.
33.4	acres	SW 1/4	Section 22,	T. 36	N., R. 66 E.,	M.D.B. & M.
21.5	acres	NW 1/4	Section 27,	T. 36	N., R. 66 E.,	M.D.B. & M.
19.0	acres	NW 1/4	Section 27,	T. 36	N., R. 66 E.,	M.D.B. & M.
119.1	acres	NW 1/4	Section 27,	T. 36	N., R. 66 E.,	M.D.B. & M.
161.0	acres	NE 1/4	Section 27,	T. 36	N., R. 66 E.,	M.D.B. & M.
100.0	acres	SW 1/4	Section 27,	T. 36	N., R. 66 E.,	M.D.B. & M.
38.3	acres	SW 1/4	Section 27,	T. 36	N., R. 66 E.,	M.D.B. & M.
43.3	acres	SE 1/4	Section 27,	T. 36	N., R. 66 E.,	M.D.B. & M.
20.7	acres	SE 1/4	Section 27,	T. 36	N., R. 66 E.,	M.D.B. & M.
7.0	acres	NE 1/4	Section 28,	T. 36	N., R. 66 E.,	M.D.B. & M.
74.3	acres	SE 1/4	Section 28,	T. 36	N., R. 66 E.,	M.D.B. & M.
6.0	acres	SE 1/4	Section 28,	T. 36	N., R. 66 E.,	M.D.B. & M.
1.7	acres	SE 1/4	Section 28,	T. 36	N., R. 66 E.,	M.D.B. & M.
89.9	acres	NE 1/4	Section 33,	T. 36	N., R. 66 E.,	M.D.B. & M.
53.3	acres	NE 1/4	Section 33,	T. 36	N., R. 66 E.,	M.D.B. & M.
11.7	acres	SE 1/4	Section 33,	T. 36	N., R. 66 E.,	M.D.B. & M.
33.3	acres	NW 1/4	Section 34,	T. 36	N., R. 66 E.,	M.D.B. & M.
15.7	acres	NW 1/4	Section 34,	T. 36	N., R. 66 E.,	M.D.B. & M.
34.0	acres	NW 1/4	Section 34,	T. 36	N., R. 66 E.,	M.D.B. & M.
12.0	acres	NW 1/4	Section 34,	T. 36	N., R. 66 E.,	M.D.B. & M.
16.7	acres	NE 1/4	Section 34,	T. 36	N., R. 66 E.,	M.D.B. & M.
134.3	acres	NE 1/4	Section 34,	T. 36	N., R. 66 E.,	M.D.B. & M.
140.0	acres	SE 1/4	Section 34,	T. 36	N., R. 66 E.,	M.D.B. & M.
2.0	acres	SW 1/4	Section 34,	T. 36	N., R. 66 E.,	M.D.B. & M.
7.2	acres	SW 1/4	Section 34,	T. 36	N., R. 66 E.,	M.D.B. & M.
34.0	acres	SW 1/4	Section 34,	T. 36	N., R. 66 E.,	M.D.B. & M.
45.0	acres	SW 1/4	Section 34,	T. 36	N., R. 66 E.,	M.D.B. & M.
5.84	acres	NW 1/4	Section 2,	T. 35	N., R. 66 E.,	M.D.B. & M.

1321.24 acres TOTAL

Area being removed from Irrigation under Permit 2210 Certificate 440, all land described on the Certificate and shown on the P.B.U. Map within Section 33, T. 36 N., R. 66 E. M.D.B. & M.

